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VIA FedEx

August 8, 2005

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Ms. Marlene H. Dortch, Secretary Common Carrier Bureau Federal Communications Commission 445 12th Street, S. W.

DOCKET FILE COPY ORIGINAL Washington, D. C. 20554

Ex Parte Presentation by T-Mobile USA, Inc. in CC Docket No. 95-116 Re:

Dear Ms. Dortch

Please associate the attached with the docket file for CC Docket No. 95-116.

Respectfully submitted,

TELCORDIA TECHNOLOGIES, INC.

By its Attorney,

Michael S. Slomin

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Regina Brown Common Carrier Bureau Federal Communications Commission 445 12th Street, S. W. Washington, D. C. 20554

Re: Ex Parte Presentation by T-Mobile USA, Inc. in CC Docket No. 95-116

Dear Ms. Brown,

This is in response to the *ex parte* statement filed by T-Mobile, which I just received. In brief, there is no consensus with respect to NANC Change Order 400 to proceed, and no need for precipitous action on it. The attempt of T-Mobile and its supporters to contrive a critical deadline tomorrow for Commission action without due process and due consideration of the issues should be ignored.

As T-Mobile acknowledges, major segments of the industry (exchange, cable and vendor) opposed implementation of Change Order 400, even on a so-called "inactive" basis, and for that reason there was no consensus in the NANC, the LNPAWG or the FoNWG on such implementation. Nor could there be. The parties opposing such implementation have significant cost, operational, competitive and policy objections to implementation that could not be resolved by discussion.

The Commission's rules and orders establish a limited scope for the NPAC that does not encompass support of Internet-based services. In the view of the opponents of the Change Order, including Telcordia, this should not change. But if there is to be change of such established rules and orders, due process and the Administrative Procedure Act require notice, comment and an opportunity to be heard, which have not been provided. T-Mobile's last minute action and citation of a deadline tomorrow does not change this or provide any basis for withdrawal of the "abeyance" in place on Change Order 400.

Accordingly, Telcordia respectfully requests that the staff <u>not</u> withdraw its abeyance on implementation of Change Order 400, whether active or inactive, pending completion of

appropriate Commission processes that provide the parties and the Commission an opportunity to address the significant issues involved.

Respectfully submitted,

TELCORDIA TECHNOLOGIES, INC.

By its Attorney,

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Copy to:

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